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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,657	05/02/2001	Teresa G. Winter	WR151-BIGW	7080

7590 02/11/2003  
DISHONG LAW OFFICES  
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EXAMINER

KATCHEVES, BASIL S

ART UNIT PAPER NUMBER

3635

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/847,657

Applicant(s)

WINTER, TERESA G.

Examiner

Basil Katcheves

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 112***

Claims 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims do not describe the process of joining ramlocks or grommets together in order to join two prefabricated panels together.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent No. 5,600,929 to Morris.

Regarding claim 1, Morris discloses a prefabricated panel having a ribbed interior skin made of metal (fig. 10: 12), a flat exterior skin made of fiberglass (fig. 10: 16) and a foam core sized to fit between the two skins (fig. 10: 14).

Regarding claim 2, Morris discloses a metal ribbed skin (fig. 10: 12).

Regarding claim 3, Morris discloses a fiberglass skin (fig. 10: 16).

Regarding claim 4, Morris discloses a foam core (fig. 10: 14).

Regarding claim 5, Morris discloses the panel section as terminating at midway of a rib (fig. 9: 14).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,600,929 to Morris in view of U.S. Patent No. 5,088,259 to Myers.

Regarding claim 6, Morris does not disclose a slot formed in the foam core.

Myers discloses a slot in a foam cored panel (fig. 5). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Morris by adding slots in the foam core in order to allow for air circulation, decrease weight and reduce costs.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,600,929 to Morris in view of U.S. Patent No. 4,936,071 to Karrfalt.

Claims 7 and 8 are rejected for reasons cited in rejection of claim 1. However, Morris does not disclose joining the panels together at mid-rib edges and affixing a cap over the joint area. Karrfalt discloses joining ribbed panels together at mid-rib edges by fastening a panel over the joined area (fig. 1:15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Morris by

adding a cap, as disclosed by Karrfalt, in order to better secure the connections of panels to obtain a desired length while maintaining structural integrity.

Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,600,929 to Morris

Claims 9-14 are rejected for reasons cited in rejection of claim 1. However, Morris does not disclose ramlock securing devices and grommets to connect panels. The applicant states in the arguments of 12/4/02 (page 3, lines 1-2) that ramlocks and grommets are common in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Morris by using ramlocks and grommets to better secure sections together, as ramlocks and grommets are commonly used in the art of construction for securing construction components, such as wall panels, together.

### ***Response to Arguments***

Applicant's arguments filed 12/4/02 have been fully considered but they are not persuasive. Regarding the 112 rejection of claims 9-14, the applicant fails to disclose the process of joining the panels together by use of ramlocks. The applicant states that ramlocks are common in the art for joining panels together, however the specification has no clear description of structure or use regarding these fasteners. The specification and claims merely regard ramlocks as standard fasteners. Regarding the 103 rejections of claims 9-14, the prior art does not disclose the use of ramlocks or grommets to join the panels. However, this rejection is based on obviousness and the

method of joining panels may be accomplished by any standard method and fastener, as criticality for the use of ramlocks is not disclosed.

Regarding the rejection based on the Morris reference, Morris does not disclose a wall structure however, Morris discloses a structure having the same basic structure of the instant application. Morris also discloses a ribbed interior skin as shown in fig. 10, component 27 and a flat exterior skin. These limitations meet the basic structure as claimed by the applicant in the rejected claims.

Regarding the combination of Morris in view of Karrfalt, Karrfalt discloses ribbed panels joined together and reinforced. Karrfalt's discloses the panel as being joined between panel ribs (fig. 5), therefore the connection is located at mid-rib.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Basil Katcheves whose telephone number is (703) 306-0232. The examiner can normally be reached on Monday-Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman, can be reached at (703) 308-0832.

BK *RK*

2/4/03

  
Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600